UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL LINDELL,

Case No. 1:21-cv-00667-PAC

Plaintiff,

- against -

ORAL ARGUMENT REQUESTED

MAIL MEDIA INC. d/b/a MAIL ONLINE and LAURA COLLINS,

Defendants.

## NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT

PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law, Declaration of Selina MacLaren executed on April 12, 2021, and all exhibits annexed thereto, and all pleadings herein, Defendants Mail Media, Inc. and Laura Collins (collectively, "Defendants") hereby move before the Honorable Paul A. Crotty, United States District Judge, Southern District of New York, for an order pursuant to Fed. R. Civ. P. 12(b)(6) and N.Y. Civ. Rights Law §§ 70-a and 76-a dismissing the Complaint in this action in its entirety and with prejudice.

PLEASE TAKE FURTHER NOTICE that, pursuant to the motion schedule set by the Honorable Paul A. Crotty during the Telephonic Pre-Motion Conference held on March 25, 2021, Plaintiff's opposition papers are due by April 26, 2021, and Defendants' reply papers are due by May 6, 2021. (See March 25, 2021 Minute Entry.)

Dated: April 12, 2021

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

By: /s/ Kelli L. Sager

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